

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**LENDINGTREE, LLC,**  
*Plaintiff-Appellant*

**v.**

**ZILLOW, INC.,**  
*Defendant-Cross-Appellant*

**NEXTAG, INC., ADCHEMY, INC.,**  
*Defendants*

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2014-1435, -1531, 2015-1186

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Appeals from the United States District Court for the  
Western District of North Carolina in No. 3:10-cv-00439-  
FDW-DCK, Chief Judge Frank D. Whitney.

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**LENDINGTREE, LLC,**  
*Plaintiff-Appellee*

**v.**

**ZILLOW, INC.,**  
*Defendant*

**AND**

**NEXTAG, INC.,**  
*Defendant-Appellant*

AND

**ADCHEMY, INC.,**  
*Defendant*

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2014-1532

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Appeal from the United States District Court for the  
Western District of North Carolina in No. 3:10-cv-00439-  
FDW-DCK, Chief Judge Frank D. Whitney.

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**ON MOTION**

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**O R D E R**

LendingTree, LLC and NexTag, Inc. move to dismiss NexTag, Inc. as a party in 2014-1435, -1531, and 2015-1186 and to dismiss 2014-1532. LendingTree separately moves without opposition to lift the stay and set the briefing schedule in 2014-1435, -1531, and 2015-1186.

LendingTree and NexTag indicate that they have reached a settlement as to their underlying dispute. Because NexTag was a party in the trial court, it will remain in the caption but only as a defendant to indicate that it is not a party to this appeal. Fed. R. App. P. 12(a).

Accordingly,

IT IS ORDERED THAT:

(1) The motion is granted to the extent that 2014-1532 is dismissed and NexTag is only listed in the caption

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in 2014-1435, -1531, and 2015-1186 as a defendant. The revised official caption is reflected above.

(2) The motion to lift the stay and set the briefing schedule in 2014-1435, -1531, and 2015-1186 is granted. LendingTree's opening brief is due no later than August 31, 2015, and Zillow, Inc.'s opening brief is due no later than October 30, 2015. Due dates for subsequent briefs and the joint appendix are to be calculated according to Fed. Cir. R. 30 & 31.

(3) Each side shall bear its own costs in 2014-1532.

FOR THE COURT

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk of Court

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ISSUED AS A MANDATE (as to 2014-1532 only):  
July 9, 2015